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A PLEA FOR AN HONEST CASUISTRY.

THE BISHOP OF TASMANIA.

I.

CONSCIOUSLY or unconsciously, with system or without system, we are all, in our several fashions and degrees, casuists. We are so even in our own despite. And yet there is a marked disinclination to make casuistry a definitely recognized part of ethics. In many leading treatises, the subject is not so much as mentioned; and in those which venture upon it, the discussion is almost invariably of a subsidiary and superficial character. Whence this disinclination?

It is hard to conceive that timidity is to any appreciable extent a deterring cause. Never before has ethical inquiry swung so clear of tradition and preconception,—never before been so greatly daring. There are not a small number of moralists who laud ‘the will to power,’ and urge advance into a region of conduct that lies altogether on the other side of good and evil. It cannot, then, be timidity that deters the modern moralist from offering himself,—as Jeremy Taylor offered himself in his day and generation,—to be a *ductor dubitantium*, on a generous scale, and on a definite system.

Perchance the blame must be laid upon surviving prejudices,—the aftermath of the reaction against the artificialities and abuses of the mediæval systems of casuistry. Undoubtedly we have here a *vera causa*, so far

as popular sentiment is concerned, in certain communities; as also in the case of a few moralists of the older school who either shrink from questioning the sole sufficiency of the greater moral principles, or who cannot rid themselves of the feeling that there is something inherently uncanny and unwholesome in casuistry, just because it is casuistry. Still, this explanation does not carry us far; for the moralists whom we have chiefly in mind would scout it.

Are there deeper influences at work? Are there principles at stake? Not so, save in the case of the stricter intuitionists. Martineau, for example, takes the line that "we have an intuitive consciousness of the relative claims of rival incentives," and categorically affirms that "the healthy and honest mind has short cuts to the truth." Plainly, if we start from such premises, casuistry is, to say the least, *de trop*. And he who attempts to argue against the sufficiency of the premises, ostracises himself, *ipso facto*, from the ranks of "healthy and honest minds." It is therefore comforting to find that the stalwart Martineau was compelled to modify the stringency of such pronouncements. "I admit (he writes) that in these complex cases, our first estimate is subject to reflective correction, in a way which is not observable with the simple impulses." He also speaks of "the implicit estimate" which is "wrapped up in the feeling," and which "needs to be made explicit." Now passing over without criticism his views as to the simple impulses (though they are by no means beyond question), we note the concession that, in certain complex cases, reflection has to supervise and supplement the work of intuition. This is surely to grant the existence of 'cases of conscience,'—and, if so, the need of some form of casuistry. If the facts of the moral life have won from Martineau a concession so significant, the defender of an honest casuistry may pass on his way undaunted.

Or it may be urged that casuistry lacks the pragmatic sanction,—that it will not work,—that it is calculated to

demoralize individual consciences, and to endanger the public weal. The thorough-going inquirer into the bases of ethics is not likely to be deterred by scruples of this kind. His quest is for truth, and he is content to let consequences take care of themselves. Nevertheless it may be well to glance at the substance of this indictment, and meet it pragmatically. For, as James remarks, the casuistic question is at times "most tragically practical."

To put the matter in the broadest way, seeing that we are all, in our own despite, compelled to be casuists, can it be ultimately beneficial to shut our eyes to facts, and disown casuistry? Let the conventions and laws of politeness supply a test case. The strict Quaker condemns them because they tend to obscure the naked truth. But can he really be himself transparent in this difficult world?—or if he could be, would he relentlessly exercise his power? Surely his feelings of humanity would assert themselves periodically, even though his sense of propriety were sternly repressed. How much more will the average man who is not a Quaker find absolute transparency to be occasionally inconvenient?

But manners are capable of abuse. They may serve as a mask for a mean or a selfish soul. They may serve as a weapon in the armory of the libertine. Granted. But does the possibility of abuse make "a healthy and honest mind" openly display his real feelings, or indiscriminately assert his views and intentions? No. So long as human beings have such varying merits, excesses, and defects; so long as they view life from standpoints so diverse; so long in short, as they are human, will there be place for social amenities, for reciprocity in self-restraint, for reticence and cultured complaisance, for discreet evasion and modified statement.

These things being so, it is manifest that, to this extent at any rate, casuistry works; for manners are casuistry in action. They involve definite adaptations to circumstances, definite accommodations to individual idiosyncrasies. Why should we 'make-believe' in this regard?

Let us be honest. Either manners are morally defensible, or they are not. If they are not, let us abandon them. If they are, let us make explicit the principles which are their justification. The same line of pragmatic reasoning will apply to all cases in which there is accommodation to individuals or circumstances.

The possible pragmatic objection thus falls to the ground. But its discussion has incidentally led to the recognition of genuine conflicts between competing duties. The corollary is that we shall have the courage to face them. Whatever pragmatism may ultimately come to mean, it will assuredly never ask us to bury our heads in the sand. On the contrary, it is pledged to found its ethics not on abstract principles, but on objective relations, and to protest against all that leads to self-deception and hypocrisy. It is best, says the pragmatist, to take ethical principles as general rules, indicating tendencies, and admitting of continuous exceptions and modifications. Nothing could be more in harmony with the postulates of an honest and living casuistry.

For those who regard 'duty' as predominantly a product of social evolution, the case for casuistry is indefinitely stronger. To affirm that any particular moral code is the expression of a particular social order, is only another way of saying that it is specially adapted to that order. If it is urged that certain moral principles are practically universal, the point may be conceded without damage to the view that each code has its own peculiar social mold and character. The three highest members in Martineau's table of the springs of action are as follows: primary affections, parental and social; primary affection of compassion; primary sentiment of reverence. Let us suppose, for the sake of the argument, that the classification is founded on facts. So long as these springs of action are regarded in their abstract, generalized aspects, their presence may be traced in all the recognized moral codes. But when they are examined in their detailed applications, the differences bulk so

largely that the original principles almost disappear. Each social order has its own distinctive set of moral problems, and solves them in its own way. In the interpretation and application of the primary parental affections, how wide the gap between the Chinese and the Americans. In respect of the primary affection of compassion, how utterly different the conceptions and actions of a head-hunter of Borneo and of a Burmese Buddhist. As for the primary sentiment of reverence, which Martineau ranks highest of all, the unevenness of its developments, and the capriciousness of its manifestations, render its systematic treatment a truly formidable task.

It is not necessary, however, to contrast the moral codes of various civilizations in order to realize how relative are particular moral judgments, in spite of the assumed universality of fundamental moral principles. It amply suffices to study various stages in the development of one and the same social order. Feudal England had its own peculiar code: that of the age of the Stuarts differed from it profoundly; this, again, differs profoundly from that now prevailing under the industrial system. To attempt to merge these differences in an abstract similarity, or identity, of moral principles is to lose touch with the actual facts of moral development. Changes in the social environment call for corresponding modifications and adaptations in the recognized moral code. Thus arise real moral stresses and strains,—real conflicts of duties. No table of springs of action could define the relation of the Barons to King John; nor settle the quarrels of Cavalier and Roundhead; nor determine for a British citizen of the present Empire what amount and what kind of social service he shall contribute for the general weal. As regards this last difficulty, Taylor, in his "Problem of Conduct," well remarks: "We are constantly talking about the duty or happiness of working for the common good of mankind in a loose, rhetorical way that ignores altogether the very real difficulties with which our problem is beset."

The lion may be caught in a net from which no mere roaring will deliver him. The stoutest intuitionist may struggle with a moral problem which no declamation against casuistry will solve. It would be wise for him to reflect that there is no inconsistency in repudiating the over-subtlety and deadly artificiality of mediæval systems while emphasizing the old, but oft-neglected aphorism, *abusus non tollit usum*. The richness and varying complexity of experience render nugatory the elaborate artificiality of rigid moral rules; but also insistently demand a careful and scientific analysis of typical cases of conscience, and an unprejudiced criticism of the principles they involve. The healthy and honest mind can go a long way,—but unless it is also crass and unimaginative, it will welcome guidance through the thickets and quagmires that so frequently block the path of those who would fain climb the heights.

II.

Let us briefly review the salient characteristics of a sound and honest casuistry.

In the first place, it will refuse to allow ‘cases of conscience’ to be grouped in a quite peculiar and isolated class, as though they were suspicious vagrants in the ethical domain. Moral conduct is thus defined in a recent authoritative treatise: “Activity called forth and directed by ideas of value and worth, where the values concerned are so mutually incompatible as to require consideration and selection before an overt action is entered upon.” If we accept this general definition of the moral situation, it will be seen that every moral judgment, or choice, partakes, in some degree, of the nature of casuistry, because, in the nature of the case, there is some amount of real incompatibility between competing ideas of value. If the *differentia* for casuistry proper is to be found, it will be by laying stress upon the factor of relative complexity—following the lines of the usual distinction between reflex action and instinct.

It is a serious mistake, then, to suppose that, while ethics, as generally conceived, travels on the high road of duty, casuistry is condemned to wander on paths of tortuous, if not immoral, expediency. It would be just as reasonable to taboo the science of politics because Machiavelli wrote his "Prince." Given a complex incompatibility among competing ideas of value, the limitations of human knowledge may render a clear-cut decision impossible. But the effort to struggle through to such a decision is not a tortuous or immoral proceeding. Expediency is a necessity of the situation. The goodness or badness of the will can discover itself in the most complex, as in the simplest cases; it does not change its qualities when it operates on the plane of expediency. Rather is it the case that the value selected by the good will under complex conditions is elevated to the plane of duty. For duty is done wherever obedience is rendered to a moral decision of the good will. The dangerous maxim that the end justifies the means has not essentially any closer affinity to casuistry than to any other branch of ethical inquiry; the contrary view results from confusing complexity and motive.

Almost any case of conscience, ancient or modern, would serve to illustrate the views thus succinctly stated; but to select a well-worn one will be no disadvantage. It is generally allowed that a doctor is sometimes justified in misleading a patient, when to tell the full truth would cause unnecessary depression, or jeopardize recovery. The situation obviously manifests incompatibilities in the ideas of value which compete in the doctor's mind. Considerations of expediency come into play, and public opinion approves of harmless equivocation under the peculiar conditions. Now is the doctor really blameworthy, and is the moral standard amiably lowered in his favor? or is his conduct genuinely defensible? The casuist is prepared to defend the case. In such a typical conflict of duties he decides that obedience to an abstract law must yield to a concrete benefit. The doctor's conduct, then,

is not something to be winked at, or slurred over; it presents itself as an honest fulfillment of a plain duty. It does not square with a bloodless law of absolute truth; but its divergence is due, not to disregard for the claims of truth, or for its vast importance as a condition of social welfare, but to a regard for a social duty which overrules the 'abstract' under the stress of the complexities of human life. Expediency carries the day, not as immoral, but in obedience to a higher prompting which is, in such a case, the fulfilling of the law. When once this viewpoint is gained,—that the truly expedient is also the morally right,—we emerge from the slimy caverns of false casuistry into the health-giving light of the blessed sun.

The dangers of such a doctrine are too obvious to need restatement,—the tendency for the individual to relax the greater moral laws in his own favor,—the temptation for various sections of the community, professional, commercial, or other, to allow themselves an esoteric morality to a harmful degree,—a general lowering of the moral standard. Most certainly caution is essential. But, as already remarked, the complexity of moral problems is no excuse for weakly yielding to moral paralysis. It cannot be the last word, in cases of conscience, that we are left to plunge blindly in obedience to unrationalized impulse. Plunging is, alas, only too often inevitable,—but we need not exalt it into a virtue! The moral agent is one who, to the utmost of his power, exercises conscious choice among competing ideas of value. Hence, when casuistry is called for to attain his end, he will not hesitate to use it,—in an honest and good heart, and a sincere determination to do his best 'according to his lights.' The moral law, for him, is no longer a fixed and rigid set of flats, to be arranged in tabular form, and to be executed with literal and external obedience. He regards them as means for healthy self-development, and for advancing the general welfare and progress. In short, man is not made for the moral law, but the moral law

is made for man,—or perhaps, rather, is man-in-the-making.

A word as to the harmony of this view with the ethics of the New Testament. Jesus Christ bade his disciples be “wise as serpents and harmless as doves,” and himself illustrated his meaning in his skillful parrying of entangling questions, and in his adaptations of his teaching to character, place, and circumstance. St. Paul, the mightiest of his followers, with a devotion to truth so consuming that he was prepared to die for it, boldly declares that he became “all things to all men.” How suggestive this of time-serving, of flattery, of sycophancy! How easily wrested to his confusion! But so sure is he of the existence of an honest casuistry, that he unhesitatingly risks all chances of misconception and proclaims his constant use of its underlying principles. The Christian moralist is therefore pledged beforehand to find a place in his ethics for expediency and accommodation.

III.

How is this plea for an honest casuistry affected by the far-reaching influence of the evolution hypothesis? The subject thus broached is a large one, and would seem to be almost untouched as yet by the prominent authorities. Perhaps the champions of distinctively evolutionary ethics may claim that their whole outlook is essentially that of the casuists; and they might substantiate their claim by referring to the casuist’s view of ‘accommodation.’

This term has a long and varied history. It was employed by Christian theologians and moralists to describe the principle of God’s revelation of himself “by divers portions and in divers manners.” The Early Church used it in connection with the concealment or modification of such of their doctrines and practices as called for wariness or reticence in communication. The later Doctors gave it a more technical sense, making it almost synonymous with casuistry. Its vitality in the sphere of

Christian ethics is proved by its prominence in the controversy between Kingsley and Newman.

So much for its narrower uses. Its scientific connotation came on the scene with Darwin under the thin disguise of 'adaptation.' So close is the connection, that Baldwin proposes the use of the actual word 'accommodation' for a special type of adaptations,—namely, those by which an organism is itself an agent in adapting itself to some change in its environment. It is easy to see how such accommodations, starting down in the sphere of the relatively unconscious, have gained in complexity and significance, stage after stage, until they have found expression in conscious choice between incompatible ideas of value. It is also obvious that this conception of adaptation to new conditions fits in admirably with the fundamental principle of casuistry. The moral agent is challenged, from time to time, to respond to the ever varying combinations of springs of action which influence his power of conscious choice. His moral progress is in proportion to the quality and delicacy of the resulting accommodations.

The conception of evolution has now so firmly established itself in almost every department of human thought and action, that even the intuitionist moralists have had to reconsider their most characteristic tenets. It is almost impossible for a modern thinker not to realize that the various moral codes of succeeding stages of civilization cannot be treated as isolated or static phenomena. They are seen to be continuous sections of an upward-sweeping arc. Or, more organically, they take their place, not as so much ready-made intuitional material, but as living and growing fibers in the tissue of social relations.

Casuistry thus comes to its own. It may be called the 'growing point' of morals—building up new material into the expanding limbs of the social structure. It may be going too far to say, with Rodrigues, that the pretended foundations of action flow from action itself, and are far from commanding it; and that our ethical systems are

constructed afterwards to justify our action. Still, there is a wonderful amount of truth in such an assertion—as witness Aristotle's master treatise. And it is at least safe to maintain that moral development proceeds, like organic development, by the method of 'trial and failure,' and by a series of approximations to more perfect adaptations amid changing environments. Life is a process,—it defies fixed concepts,—it repudiates absolutism of every brand. And, for the moralist, this fact of 'process' implies that casuistry is not a continuous breaking away from duties, but a continuous wrestling with new problems which no mere appeal to established principles can hope to solve. The fixed rule has its function,—but only a provisional one. The moral law is like the scientific hypothesis,—an anticipation of experience, and eminently serviceable as such, but liable to correction by the same experience as gave it form and authority.

IV.

In the increasingly complex life of to-day, how multitudinous are the incompatibilities between ideas of value! Childhood, manhood, age, each brings its sheaf of casuistical problems. The rights of men; the rights of women; the rights of the state; the rights of the individual,—all these, and a thousand like matters, call for clearer definition and adjustment, and all imply the application of casuistical principles and methods. In fact, our social intercourse in all its forms, from that of the closest friendship to the slightest acquaintanceship, bristles with new problems from day to day,—based on differences of temperament and character, of education and position, of intellect and imagination, and tangled in a mesh of varying social relations which affect our most private as well as our public affairs and behavior. Nor does the crop of specialized codes give any signs of failing,—the lawyers, the doctors, the clergy, the sceptics, the soldiers and sailors, the police, tradesmen and merchants, politicians and philosophers,—each and all have

their peculiar outlook on life, and their own particular bundles of moral problems to solve. There is not a new scientific discovery, a new economic development, a new mode of philosophic or historical criticism which does not bring sore moral perplexities into numberless lives.

Be just, we cry. All will applaud. But how to be just,—there is the rub! We are face to face with changes in the industrial world,—we are threatened with conflict between capital and labor,—we are torn by competing ideals of individualism and socialism. How shall we interpret this admirable sentiment, or rule, or categorical imperative,—Be just? The share-holder in the large company feels that the moral responsibility for the conduct of the business rests upon the directors; the directors aver that they are but servants of the share-holders at large, and that they are not handling their own money or affairs. Hence, ‘a company has no conscience,’ we are told. But a casuist maintains that a company can, and ought to, have a conscience. He urges that the confused issues should be teased out, and that practical help should be extended to those who are anxious to fulfill their social obligations. Under analogous conditions, help has been given to purchasers by well-matured schemes of preferential dealing; and the idea is capable of important developments.

Who can say how much the world’s progress may depend on the moralization of politics? And who shall venture to exclude casuistry from a large share in the work of moralizing them? Lord Morley has indeed written a famous essay on “Compromise,” and has dealt out severe blows against such forms of accommodation and adaptation as involve any infringement of cardinal principles. But he himself is a man of affairs, as well as an author. He has undertaken public duties in administering the affairs of a vast empire. And among other decisions of great moment, there occurs that which answers China’s appeal anent the opium traffic. It cannot be doubted that Lord Morley’s personal sympathies are with

the appeal. For he well knows that England forced this traffic on China by an iniquitous war, and that the consumption of opium is one of the worst scourges from which a country can suffer. But the exigencies of political life are too strong, and Lord Morley 'compromises' by proposing a scheme for gradual diminution of the traffic. On the merits of this scheme there is no intention of pronouncing any opinion here, nor would the subject have been mentioned at all save as a practical commentary on the essay. The moralist, in the free field of literary composition, deals hardly with certain sections of the community (especially clergy) for indulging in compromise. The politician, hemmed in on every side by competing interests, and in the actual stress and strain of imperial administration, finds compromise to be a necessity. The moral is plain. Compromise means casuistry. And if compromise can be honest and beneficial, so can casuistry.

It is painfully apparent that, in this age of transitions, changes in religious environment are prolific sources of cases of conscience. As just observed, these cases seem especially to exercise Lord Morley's mind. Newman's case is rich in interest and suggestion. While remodeling his beliefs, he employed that species of accommodation known as reticence. He withheld the full truth, and delayed to correct erroneous impressions. His "Apologia" explains his views. How far they are defensible has not yet been thoroughly debated, chiefly because of the religious controversies which confuse and dwarf the moral problems, simply *quâ* moral. But there is one principle he lays down,—“the principle of economy,”—which will serve as a striking example of what a really scientific casuistry might contain. “In religious conduct or statement, out of various courses, all and each allowable antecedently and in themselves, that ought to be taken which is most expedient and most suitable at the time and for the matter in hand.” True, this principle implies preliminary decisions to determine what courses may fall within the category of those “allowable antecedently and

in themselves.” Nevertheless, the formula is valuable as giving a lead in the construction of a scientific set of general principles which would be of enormous practical value in analyzing and solving cases of conscience.

For example’s sake, apply Newman’s principle of economy to this problem. The fisherfolk of Normandy and Brittany reveal their religious beliefs in the furnishing and decoration of the chapels which crown so many of their white cliffs. They are wont to fill them with votive emblems of their hopes and fears, of their prayers and thanksgivings. Suppose a religious reformer, or a zealous agnostic, to be bent upon freeing them from what he regards as harmful superstitions. How should he set to work. Newman’s principle of economy would save the ‘reformer’ from rash and iconoclastic action. For it would lead him to reflect, and would afford opportunity for his wider sympathies to declare themselves in due proportion. The case is manifestly one of high complexity. It is a serious matter to disturb the faith of those whose religion brings many a gleam of comfort, many a flash of beauty, many a touch of poetry, many a spiritual vision into lives that are all too hard and stern. The ark must be touched with reverence. Infinite care would have to be taken to select, out of many possible courses, that one “which is most expedient and most suitable at the time and for the matter in hand.”

In spite, then, of Lord Morley’s strong stand against compromise, the facts of the moral life, the complexities of the social environment, are too strong for him. In politics and religion alike, the ethics of subscription to party programs and religious formularies, is complex, distracting, not seldom harrowing. But the thorough and open discussion of difficult moral situations, careful analysis, expert criticism, are bound to be helpful to all concerned. Views and decisions will clash—that is inevitable; but out of the confusion will emerge clearer understanding of the real issues, and firmer hold on those principles which will stand the test of experience. One

thing is certain: formularies and programs, when drawn up too rigidly and too rigidly enforced are attempts to dam the stream of thought into pools and placid reaches. All goes well so long as there is passage for free water. But if the dam is too perfect, there will ensue the bursting of the artificial barrier, the flood, the desolation.

We must therefore conclude that the disinclination to grapple systematically with the problems of casuistry is not easy to be explained, and is assuredly a sign of weakness and a source of further mischief. The dangers are admittedly many and serious; and they are sufficiently recognized. But the advantages are preponderant. Reason cannot cover the whole ground in morals, or in any other sphere of human thought and action. But we can never get very far wrong in honestly attempting to be rational. Can it be shown that to evolve a rational casuistry will bring disaster? Then it must be also shown that, in this instance, the use of reason is in itself an evil.

Added to the steadying influences of rational analysis and scientific method, are the continuous pull of the received moral code and the tireless pressure of public opinion. And whatever may be the shortcomings of our age, the encouragement of hypocrisy and time-serving is not one. On this score, at any rate, the moral sense of the civilized peoples is being rapidly quickened and socialized. Never was there a better chance for rationalizing our casuistry without jeopardizing our morals. Nay, it may be argued, and hoped, that an honest casuistry would result, not only in the clearing of complex ethical problems, but in the deepening of our sympathy and social consciousness. The better we understand one another, the more brotherly we shall become. As Gautama puts it,—
“the more we know, the more we shall forgive.”

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